

**ANNUAL REPORT
OF THE
COMMISSION ON
MILITARY AND VETERANS AFFAIRS**



**Indiana Legislative Services Agency
200 W. Washington St., Suite 301
Indianapolis, Indiana 46204-2789**

November, 1999

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1999

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**Timothy Tyler
Attorney for the Commission**

A copy of this report is available on the Internet. Reports, minutes, and notices are organized by committee. This report and other documents for this Commission can be accessed from the General Assembly Homepage at <http://www.state.in.us/legislative/>.

I. STATUTORY DIRECTIVE

The Indiana General Assembly enacted legislation under IC 2-5-20 establishing the Commission on Military and Veteran Affairs (MVAC) to study the following topics: (1) matters relating to veterans and veterans affairs; and (2) matters relating to the active and reserve members of the armed forces of the United States. MVAC also studies topics assigned to it by the Indiana Legislative Council and topics chosen by the chair.

II. INTRODUCTION AND REASONS FOR STUDY

MVAC met to carry out its responsibilities under IC 2-5-20.

III. SUMMARY OF WORK PROGRAM

The Commission met three times during the 1999 interim session on August 19, September 16 and October 28. The commission discussed the following topics:

- A. University fee remissions for certain veterans.
- B. Veteran representation on local workforce investment boards.
- C. Developing special veterans car license plates.
- D. Applying military experience to obtaining professional licenses.
- E. A class-action lawsuit against the federal government for full medical benefits for veterans.
- F. High schools' failure to release student information to military recruiters.
- G. Commission recognition of the World War I veterans recently awarded the French national Order of the Legion of Honor.
- H. Volunteer immunity from civil liability.
- I. Increasing the state income tax deduction on military pay.
- J. State aid for home purchases by veterans.

IV. SUMMARY OF TESTIMONY

A. University fee remissions for certain veterans.

The director of the Department of Veterans' Affairs presented testimony on veteran organizations' concern with the July 1, 1999 cutoff date for veteran tuition assistance established by House Bill 1074-1999. Commission members agreed that should new wartime conditions commence, the cutoff date could be amended to include future veterans under this state benefit.

B. Veteran representation on local workforce investment boards.

The Commission voted to draft a resolution requesting veteran membership on regional workforce investment boards created by House Bill 1652-1999. These boards are involved in workforce training programs across the state. (A committee resolution may be sent directly to an agency, with legislative council approval, or it may be offered by an individual legislator during a session of the General Assembly.)

C. Developing special veterans car license plates.

Commission consideration of this issue summarized current discussions between the Department of Veterans' Affairs and the Bureau of Motor Vehicles concerning the feasibility of developing veterans license plates. The Commission declined further consideration of this issue in deference to other committees that might better address it (e.g., the Interim Study Committee on Bureau of Motor Vehicle Issues).

D. Applying military experience to obtaining professional licenses.

At all of its 1999 meetings, MVAC members discussed the issue of allowing veterans to apply their relevant military experience toward receiving professional licenses at the end of their military service. The following information was provided during testimony:

- ! Nationally, licensing laws mentioning military experience pertain mostly to: (1) allowing military personnel to forego continuing education requirements; and (2) providing additional time to renew licenses that had expired due to military service.
- ! Indiana statutes now provide exemption from continuing education due to military experience for the following professions: auctioneer; cosmetology professional; and real estate broker/salesperson. Also barbers leaving the military shall be granted a new license.
- ! The boards administered by the Professional Licensing Agency and the Health Professions Bureau regulate certifications and licenses. These boards may currently adopt measures by rule to allow consideration for military service in related professions.
- ! Certain professions would be more likely to provide licensing credit for military training if required by statute, rather than if individual boards are provided with specific rule-making authority to do so.
- ! Nineteen occupations requiring an Indiana license or certification were identified as corresponding to military occupations for which credit might be considered. These professions were accountants, dentists and dental hygienists, dieticians, land surveyors, physicians, marriage and family therapists, physical and occupational therapists, physician assistants, plumbers, professional engineers, psychologists, speech pathologists and audiologists, law enforcement officers, private detectives, fire fighters, and teachers.

E. Class-action lawsuit against the federal government for full medical benefits for veterans.

The Commission briefly discussed an ongoing law suit involving Vietnam, Korean War, and World War II veterans seeking lifetime medical benefits that are alleged to have been guaranteed in verbal and written materials during these conflicts. Many veterans are unaware that Medicare takes over for military medical benefits at age 65. Consequently, they do not apply for Medicare Part B or other supplementary insurance to make up for lost coverage,

leaving them with insufficient coverage. Since the litigant, Class Act Group, has already sought support from Governor O'Bannon, the Commission did not act on this issue.

F. High schools' failure to release student information to military recruiters.

Testimony and supporting documents presented to the Commission by recruiters representing the Army, Navy, Air Force and Marines showed that at least 176 high schools had refused to provide high school graduate lists in 1997 and 1998, as required by IC 20-10.1-29-3. Some schools (about five percent) also deny access to military recruiters. Commission discussion focused on the need for additional legislation to compel high school compliance. Students who are not given information on military options are denied the substantial enlistment benefits of tuition and education assistance now offered by the services.

Sen. Paul met with representatives from the Indiana State Teachers Association and the Department of Education as well as recruiters and other interested parties regarding this issue. They discussed measures that might be taken to enhance high school student access to military career information.

G. Commission recognition of the World War I veterans recently awarded the French National Order of the Legion of Honor.

The Commission had letters drafted honoring nine Indiana natives who were awarded the French Legion of Honor, five of whom were still living. Upon the unanimous vote of the members, Sen. Wyss was authorized to sign the letters for immediate transmittal.

H. Volunteer immunity from civil liability.

The Commission briefly discussed this issue brought before it by the Military/Veteran Coalition of Indiana. Due to the complexity of the issue, however, the Commission chose not to act upon it.

I. Increasing the state income tax deduction on military pay.

The Commission discussed a proposal by the Reserve Officers Association regarding an increase in the state income tax deduction from \$2,000 (set in 1965) to \$6,000 for active military pay. It was determined that such a proposal would cost \$4.8 million based on the current number of military personnel who filed for this deduction in the state. The Commission voted to support Rep. Bailey's proposed bill on this issue.

J. State aid for home purchases by veterans.

Six states currently provide mortgage assistance for veterans purchasing homes along with federal Veterans Administration assistance. The Commission discussed the possibility of such a measure in Indiana and what benefits such assistance might provide to the state. This issue may be reexamined next year.

K. Veterans health care needs.

The Commission heard testimony from Bob Hawkins, Superintendent, Indiana Veterans Home, regarding a veterans health care needs assessment he is conducting. The Commission suggested that Mr. Hawkins present his findings before MVAC next year.

V. COMMITTEE FINDINGS AND RECOMMENDATIONS

The Commission made no findings of fact; however, it did vote to recommend several actions and a bill draft proposal. These recommendations resulted from votes taken on specific proposals and concepts. These measures received at least seven affirmative votes which is the minimum required to pass a recommendation in accordance with the Legislative Council's rules for study committees with 12 voting members.

(1) State health and professional licensing boards are to be contacted with a request to advise the MVAC chair, before January 2000, about their willingness to accept certain military training toward licensure or certification of the occupations and professions that they regulate.

VOTE: 11 aye, 0 nay.

(2) The Commission voted to recommend for introduction a bill draft based on House Bill 1091-99 requiring high schools to provide student directory information to military recruiters, while: (1) paying costs incurred by schools in providing the information; and (2) exempting students whose parents request that such information not be released.

VOTE: 11 aye, 0 nay.

(3) Letters are to be sent to all school superintendents regarding military access to high school information. Included in these letters will be an Attorney General's office opinion affirming the intent of current law under Indiana Code 20-10.1-29-3 requiring that student information be provided to military recruiters.

VOTE: 11 aye, 0 nay.

(4) The Commission voted to support a bill draft proposal offered by Rep. Bailey that seeks to increase the salary deduction for military personnel from \$2,000 to \$6,000.

VOTE: 11 aye, 0 nay.

WITNESSLIST

Lt. Col. Roy Bierwirth U.S. Army Recruiting Battalion, Indianapolis

Joseph Duray Military/Veteran Coalition of Indiana

Bob Hawkins Indiana Veterans Home

Col. Stanley Huseland Reserve Officers Association

William Jackson Department of Veterans' Affairs

MGS Lennie Miller U.S. Marine Recruiting, Indianapolis

Gerald Quigley Professional Licensing Agency

Col. Joseph Ryan Retired Officers Association